



**CITY PLAN COMMISSION MEETING  
1<sup>ST</sup> FLOOR CITY COUNCIL CHAMBERS  
APRIL 9, 2015  
1:30 P.M.**

**MINUTES**

The City Plan Commission met at the above place and date.

The meeting was called to order at 1:30 p.m. Commissioner Wright present and presiding and the following Commissioners answered roll call.

**COMMISSIONERS PRESENT:**

Commissioner Loweree  
Commissioner Brannon  
Commissioner Grambling  
Commissioner Erickson  
Commissioner Wright  
Commissioner Landeros

**COMMISSIONERS ABSENT:**

Commissioner Amoriello  
Commissioner Ardovino  
Commissioner Madrid

**AGENDA**

Commissioner Erickson read the rules into the record. David Coronado, Program Manager for Planning & Inspections, read the revisions to the agenda into the record.

**\*ACTION:** Motion made by Commissioner Erickson, seconded by Commissioner Brannon, and unanimously carried to **APPROVE** the agenda as amended.

**AYES:** Commissioner Loweree, Brannon, Grambling, Erickson, Wright, and Landeros

**NAYS:** N/A

**ABSTAIN:** N/A

**ABSENT:** Commissioner Amoriello, Ardovino, and Madrid

**NOT PRESENT FOR THE VOTE:** N/A

Motion passed.

**I. CALL TO THE PUBLIC – PUBLIC COMMENT**

This time is reserved for members of the public who would like to address the City Plan Commission on any items that are not on the City Plan Commission Agenda and that are within the jurisdiction of the City Plan Commission. No action shall be taken.

**NO ACTION WAS TAKEN.**

## **II. CONSENT AGENDA**

**ACTION:** Motion made by Commissioner Landeros, seconded by Commissioner Erickson, and unanimously carried to **APPROVE, AS REVISED**, all matters listed under the **CONSENT AGENDA AND REGULAR AGENDA - DISCUSSION AND ACTION**, unless otherwise noted. (Items approved, postponed, or deleted pursuant to the **CONSENT AGENDA AND REGULAR AGENDA - DISCUSSION AND ACTION** vote will be shown with an asterisk {\*}).

### **Extension Request for Approval of a Land Study:**

1. **SUB08-00112:** Northeast Master Plan Land Study – A portion of Sections 9, 10, 15, 16, 17 and 18, Block 81, Township 1, Texas and Pacific Railway Company Surveys; and a portion of Sections 11, 14, and 19, Block 81, Township 1, Texas and Pacific Railway Company Surveys; and a portion of Sections 11, 12, 13, 14, 19, 20 and 21, Block 81, Township 1, Texas and Pacific Railway Company Surveys; and a portion of Sections 7, 17, 18, 19, 20 and 30, Block 80, Township 1, Texas and Pacific Railway Company Surveys, City of El Paso, El Paso County, Texas  
  
Location: North of Loma Real Avenue and West of Patriot Freeway  
Property Owner: EPWU-PSB, City of El Paso  
Representative: EPWU-PSB, City of El Paso  
District: 4  
Staff Contact: Kimberly Forsyth, (915) 212-1563, [forsythkl@elpasotexas.gov](mailto:forsythkl@elpasotexas.gov)

**ACTION:** Motion made by Commissioner Landeros, seconded by Commissioner Erickson, and unanimously carried to **APPROVE SUB08-00112**.

Motion passed.  
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## **III. REGULAR AGENDA - DISCUSSION AND ACTION:**

### **Subdivision Applications:**

#### **SUBDIVISION MAP APPROVAL:**

##### **NOTICE TO THE PUBLIC AND APPLICANTS:**

The staff report for an agenda item may include conditions, exceptions, or modifications. The Commission's motion to approve an item in accordance with the staff report or with all staff comments means that any modifications, waivers, exceptions requested by the applicant and recommended for approval by staff and any staff recommended conditions, have been approved, without necessitating that the Commission restate the modifications, exceptions, waivers, or conditions as part of the motion to approve and that any findings required to be made by the Commission, have been made. If the Commission does not wish to approve an exception or modification, or require a condition, then the Commission's motion will state which have not been approved, otherwise, the staff report, with all modifications, exceptions and conditions, is approved and the applicant shall comply with all provisions of the staff report.

##### **Major Combination:**

2. **SUSU15-00010:** Haifa Subdivision – A portion of Tract 1, Section 41, Block 79, Township 2, Texas and Pacific Railroad Surveys, City of El Paso, El Paso County, Texas  
  
Location: South of Edgemere and West of Joe Battle

Property Owner: E.P. Summit Investments L.P.  
Representative: SLI Engineering, Inc.  
District: 5  
Staff Contact: Jeff Howell, (915) 212-1607, [howelljb@elpasotexas.gov](mailto:howelljb@elpasotexas.gov)

Jeff Howell, Planner, gave a presentation, and noted that there is a revised staff report for this item. The applicant requests approval on a Major Combination basis of Haifa Subdivision. The applicant proposes to subdivide 6.004 acres of vacant land into two commercial lots. Primary access to the subdivision is proposed from Joe Battle Boulevard. This property is currently vacant. The subdivision was reviewed under the current subdivision code. Staff recommends approval of the Haifa Subdivision on a major combination basis.

Georges Halloul, with SLI Engineering, Inc., concurred with staff's comments.

**ACTION:** Motion made by Commissioner Brannon, seconded by Commissioner Erickson, and unanimously carried to **APPROVE SUSU15-00010**.

Motion passed.

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3.      **SUSU15-00019:**      Haciendas Del Rio Unit One - A portion of Tract 3B and 3D1 and all of Tract 3C and a 30 foot county ROW, Block 16, Upper Valley Surveys, El Paso County, Texas  
Location:      West of Doniphan and South of La Union  
Property Owner:      Haciendas Del Rio Partners  
Representative:      CAD Consulting Company  
District:      ETJ  
Staff Contact:      Nelson Ortiz, (915) 212-1606, [ortiznx@elpasotexas.gov](mailto:ortiznx@elpasotexas.gov)

Nelson Ortiz, Senior Planner, gave a presentation and noted that there is a revised staff report for this item. This application dates back to 2008. It was first approved by this commission in 2009 and then again in 2014. The reason it's coming back is because the applicant failed to submit recording documents six months after the final plat had been approved. A letter from the Canutillo Independent School District was included in the backup. Staff recommends approval of this request and approval of modifications and a condition to require landscaping at the rear of the double frontage lots along Strahan.

Carlos Jimenez with CAD Consulting concurred with staff's comments.

Mr. Leon, a representative for the Canutillo School District, spoke in opposition to this request expressing concern regarding the high volume of traffic and congestion. They suggested that the commission recommend that this subdivision be brought back within the design guidelines of Plan El Paso.

Kimberly Forsyth, Lead Planner, noted that this application was submitted in 2008 and approved prior to the adoption of Plan El Paso.

**ACTION:** Motion made by Commissioner Erickson, seconded by Commissioner Grambling, and unanimously carried to **APPROVE SUSU15-00019**.

Motion passed.

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4. **SUSU15-00021:** Ping Subdivision - Tracts 10E and 10F, Block 1, Upper Valley Surveys, City of El Paso, El Paso County, Texas  
Location: South of Frontera and East of Emory  
Property Owners: Paul P. Pholvichitr & Daravanh V. Pholvichitr  
Representative: CEA Group  
District: 8  
Staff Contact: Jeff Howell, (915) 212-1607, [howelljb@elpasotexas.gov](mailto:howelljb@elpasotexas.gov)

Jeff Howell, Planner, gave a presentation and noted that there is a revised staff report for this request. The applicant proposes to subdivide 1.54 acres of vacant land into one residential lot. Access to the subdivision is proposed from Emory Road. The applicant has submitted a request to waive ROW improvements to allow for the existing cross-sections of Emory Drive to remain. The applicant is also dedicating an additional 10' of ROW on Emory Road. The subdivision was reviewed under the current subdivision code. Staff recommends approval of Ping Subdivision on a major combination basis and approval of waiver for additional ROW improvements on Emory.

Jorge Grajeda with CEA Group concurred with staff's comments.

**ACTION:** Motion made by Commissioner Brannon, seconded by Commissioner Erickson, and unanimously carried to **APPROVE SUSU15-00021.**

Motion passed.

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**Annexations:**

5. Discussion and action on an annexation agreement for the property located East of John Hayes at Edgemere. (SUAX14-00001)  
Property Owner: El Paso County  
Staff Contact: Alfredo Austin, (915) 212-1604, [austinaj@elpasotexas.gov](mailto:austinaj@elpasotexas.gov)

Alfredo Austin, Planner, gave a presentation and noted that there is a revised staff report for this item. The applicant is requesting to annex land located within the City of El Paso's Extra Territorial Jurisdiction. The subject property is approximately 3.2457 acres in size. The annexation is being requested to accommodate roadway improvements for the future extension of Edgemere Boulevard. A subdivision application will follow soon after the annexation is complete. Staff recommends approval of the annexation agreement.

Conrad Conde with Conde, Inc., concurred with staff's comments.

**ACTION:** Motion made by Commissioner Erickson, seconded by Commissioner Landeros, and unanimously carried to **APPROVE AN ANNEXATION AGREEMENT FOR THE PROPERTY LOCATED EAST OF JOHN HAYES AT EDGEMERE.**

Motion passed.

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**PUBLIC HEARING Resubdivision Combination:**

6. **SUSU15-00011:** Miles Unit One Replat A – A replat of Lots 1, 2, and 4, Block 1, Miles Subdivision Unit One, City of El Paso, El Paso County, Texas  
Location: South of Americas and West of Socorro  
Property Owner: Southwest Convenience Store  
Representative: Conde, Inc.

District: 6  
Staff Contact: Alfredo Austin, (915) 212-1604, [austinaj@elpasotexas.gov](mailto:austinaj@elpasotexas.gov)  
**POSTPONED FROM 03/12/15 AND 03/26/15**

**\*ACTION:** Motion made by Commissioner Erickson, seconded by Commissioner Brannon, and unanimously carried to **POSTPONE SUSU15-00011 FOR TWO (2) WEEKS, TO THE CITY PLAN COMMISSION MEETING OF APRIL 23, 2015.**

Motion passed.

7. **SUSU15-00016:** Parkland Addition Replat C, A portion of the South 396 ft. of 3-C and a portion of the South 600 ft. of 4-C, Parkland Addition, City of El Paso, El Paso County, Texas  
Location: North of Quail Avenue, East of Cross Street  
Property Owner: Juan J Vasquez  
Representative: CAD Consulting  
District: 4  
Staff Contact: Joaquin Rodriguez, (915) 212-1608, [rodriguezjx3@elpasotexas.gov](mailto:rodriguezjx3@elpasotexas.gov)

Joaquin Rodriguez, Planner, gave a presentation and noted that the applicant proposes to subdivide approximately 4.17 acres in the city's northeast area. The proposed subdivision will result in 17 single family lots measuring approximately 5500 square feet on average. The subdivision will have 2 points of access by Quail Avenue and Cross Street. Two T-Type cul-de-sacs, as well as a temporary dead end are proposed. Staff received one phone call in support of this request. Staff recommends approval of ROW exceptions and approval of Parkland Addition Replat C.

Carlos Jimenez with CAD Consulting concurred with staff's comments.

Commissioner Wright asked if there was anyone in the public who wished to speak in favor or against this request.

- Henry Hosford representing the property owner, noted that the applicant was willing to give an easement to allow that cul-de-sac to come in and contribute the land it took for that cul-de-sac. The plan that was originally presented to the property owners has changed. Mr. Hosford presented a letter to Mr. Ortiz from the applicants indicating that they would like that if access could not be provided at this time they would want access to the future. The applicants are willing to cooperate in any way they can on that access. If they can't get a cul-de-sac, they do not want a road block, and would like to put in and establish a 20' locked rolling gate. The 20' of rolling gate would be locked and accessible to emergency vehicles. The applicants are willing to pay for the rolling gate themselves.

Carlos Gallinar noted that this is an issue that can not be solved today and he is willing to have a meeting with the applicants and their attorney to coordinate a meeting with EPDdot in case there is some coordination. Although the applicant for this particular case is already saying that he is not going to put the barricade, Mr. Gallinar believes there is still some coordination that needs to take place between the EPDdot and the private property owner for the cul-de-sac.

Kimberly Forsyth noted that any time in the future, the property owners are able to come in and replat their property to include another type of a turn around.

Carlos Jimenez confirmed that they are willing to let the applicants have access through that public street to their property and will make no effort to block it.

**ACTION:** Motion made by Commissioner Erickson, seconded by Commissioner Landeros, and carried to **APPROVE SUSU15-00016.**

**AYES:** Commissioner Loweree, Erickson, Wright, and Landeros

**NAYS:** Commissioner Brannon, and Grambling

**ABSTAIN:** N/A

**ABSENT:** Commissioner Amoriello, Ardovino, and Madrid

**NOT PRESENT FOR THE VOTE:** N/A

Motion passed. (4-2 vote)

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8.      **SUSU15-00018:**      North Loop Gardens Unit 2 Replat A - All of Lot 26, North Loop Gardens Unit 2, City of El Paso, El Paso County, Texas  
Location:                      South of North Loop and West of San Jose  
Property Owner:              Daniel Alderete  
Representative:              Daniel Alderete  
District:                        7  
Staff Contact:                Alfredo Austin, (915) 212-1604, [austinaj@elpasotexas.gov](mailto:austinaj@elpasotexas.gov)

Alfredo Austin, Planner, gave a presentation and noted that there is a revised staff report for this item. The applicant proposes to replat approximately 0.4683 acres of land into 1 duplex lot and 1 single family lot. Access to the subdivision is proposed from Milton Road. This development is being reviewed under the current subdivision ordinance. The applicant has submitted an exception request for a panhandle lot to be allowed. The panhandle measures 14 feet in width and 99 feet in length. The applicant has also submitted a request to waive requirements to provide rights-of-way or street improvements to Milton Road. Fifty per cent of the lots within a quarter mile of the proposed development have already been developed and the existing street improvements are in character with the neighborhood. Staff received one letter in opposition to this request. Staff recommends approval of the exception and waiver request and approval of North Loop Gardens Unit 2 Replat A on a Resubdivision Combination basis.

Daniel Alderete concurred with staff's comments.

Commissioner Wright asked if there was anyone in the public who wished to speak in favor or against this request. There was no response.

**ACTION:** Motion made by Commissioner Brannon, seconded by Commissioner Erickson, and unanimously carried to **APPROVE SUSU15-00018.**

Motion passed.

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**PUBLIC HEARING Easement Vacation:**

9.      **SUET15-00001:**      25 Apache Crest Easement Vacation - Lot 5, Block 1, Sierra Crest Replat "B", an addition to the City of El Paso, El Paso County, Texas  
Location:                      North of Robinson & East of Okeefe  
Property Owner:              Douglas Chan  
Representative:              Blanca Ramos  
District:                        1  
Staff Contact:                Alfredo Austin, (915) 212-1604, [austinaj@elpasotexas.gov](mailto:austinaj@elpasotexas.gov)  
**POSTPONED FROM 03/12/15 AND 03/26/15**

**\*ACTION:** Motion made by Commissioner Erickson, seconded by Commissioner Brannon, and unanimously carried to **DELETE SUET15-00001**.

Motion passed.

**PUBLIC HEARING Rezoning Applications:**

- 10. PZRZ14-00051:** A portion of Lots 17 through 23, and all of Lots 90 and 91 and a portion of Lot 92 and a portion of a vacated alley, Block 8, Second Revised Map of Sunset Heights, City of El Paso, El Paso County, Texas
- Location: 406 W. Yandell Drive  
Zoning: A-4/sp (Apartment/special permit)  
Request: From A-4/sp (Apartment/special permit) to S-D (Special-Development)  
Existing Use: Vacant  
Proposed Use: Office/Retail  
Property Owners: Yandell Tower & Horizon Properties, LLC  
Representative: Conde, Inc.  
District: 8  
Staff Contact: Arturo Rubio, (915) 212-1613, [rubioax@elpasotexas.gov](mailto:rubioax@elpasotexas.gov)  
**POSTPONED FROM 02/26/15; 03/12/15 AND 03/26/15**

**\*ACTION:** Motion made by Commissioner Erickson, seconded by Commissioner Brannon, and unanimously carried to **DELETE PZRZ14-00051**.

Motion passed.

- 11. PZRZ14-00056:** Lot 1 and East 13 feet of Lot 2, Lot 3 and West 12 feet of Lot 2, Lot 4, Lot 5, Lot 6, Lots 7 & 8, Part of Lot 9 and All of Lot 10, Southeastern Part of Lot 11 to Lot 13, Part of Lot 17 and All of Lot 18, Part of Lot 19 and All of Lot 20, Lot 21, Lot 22 Lots 23 & 24, Lots 25 & 26, Lot 27, Lot 29, Lots 29 & 30, and Lots 31 & 32, Block 19, Bassett Addition, City of El Paso, El Paso County, Texas
- Location: South of Olive Avenue, West of Laurel Street  
Zoning: M-1 (Manufacturing)  
Request: From M-1 (Manufacturing) to RMU (Residential Mixed Use)  
Existing Use: Residential, Multi-family and Commercial  
Proposed Use: Residential, Multi-family and Commercial  
Property Owner: Multiple owners  
Representative: Arturo Rubio, City of El Paso  
District: 8  
Staff Contact: Art Rubio, (915) 212-1613, [rubioax@elpasotexas.gov](mailto:rubioax@elpasotexas.gov)

Art Rubio, Lead Planner, gave a presentation and noted that the City of El Paso is requesting a rezoning of the subject properties from M-1 (Manufacturing) to R-MU (Residential-Mixed Use) to accommodate existing development that is incompatible with the existing M-1 zoning district standards. Staff is requesting the Residential-Mixed Use zoning designation because of the character of the existing development, which is mostly residential. A vast majority of the structures do not meet the setback or lot dimensional requirements for any residential or apartment zone. Additionally, the mix of single-family residential, multi-family residential and commercial uses would be best served by the Residential-Mixed Use zoning district, with setback and lot dimensional standards customized to match the area as presently composed.

This zoning change will bring the properties into greater conformance with the Future Land Use designation for the area; which calls for walkable traditional neighborhood development. The Master Zoning Plan Report details the mix of uses, proposed setbacks and dimensional standards. Historically, this area has not provided off-street parking for residences or businesses, and therefore a 100% parking reduction is requested as there is sufficient on-street parking in the area to accommodate all of the residents as part of the subject rezoning request. Staff did not receive any letters or phone calls in support or opposition to the rezoning request. Staff did not receive any adverse comments from any of the reviewing departments.

Commissioner Wright asked if there was anyone in the public who wished to speak in favor or against this request. There was no response.

**ACTION:** Motion made by Commissioner Erickson, seconded by Commissioner Grambling, and unanimously carried to **APPROVE PZRZ14-00056.**

Motion passed.

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| 12. | <b>PZRZ15-00006:</b> | Lots 1 & 2, Block 86, East El Paso Addition, City of El Paso, El Paso County, Texas                       |
|     | Location:            | 810 North Luna Street   |
|     | Zoning:              | R-5 (Residential)   |
|     | Request:             | From R-5 (Residential) to S-D (Special Development)   |
|     | Existing Use:        | Single-family dwelling  |
|     | Proposed Use:        | Office Building   |
|     | Property Owner:      | Marco A. Chavira  |
|     | Representative:      | Marco A. Chavira  |
|     | District:            | 2   |
|     | Staff Contact:       | Michael McElroy, (915) 212-1612, <a href="mailto:mcelroyms@elpasotexas.gov">mcelroyms@elpasotexas.gov</a> |

Michael McElroy, Planner, gave a presentation and noted that the property owner is requesting a rezoning from R-5 (Residential) to S-D (Special Development) to permit an office building. The property proposes the conversion of the existing 1,347 square feet single family home for office and storage use. The detailed site development plan proposes an expansion of 2,069 square feet of new office construction. Setback reductions are proposed for 4.08' to the rear, from the required 10', 4.17' on the side, from the required 10', and 0' to the front, from the required 20'. The side street yard setback of 27.18' requires no reduction. Seven parking spaces are required and seven are provided, including ADA and bicycle parking. Six-hundred and seventeen square feet of landscaping is required and 999 square feet is proposed. Access is proposed from Luna Street. Staff received one phone call in opposition to the rezoning request. Staff recommends approval of the rezoning request from R-5 (Residential) to S-D (Special Development) and acceptance of the Detailed Site Development Plan.

Marco Chavira concurred with staff's comments.

Commissioner Wright asked if there was anyone in the public who wished to speak in favor or against this request.

- Manuel Marquez had no objection to this rezoning request.

**ACTION:** Motion made by Commissioner Brannon, seconded by Commissioner Erickson, and unanimously carried to **APPROVE PZRZ15-00006.**

Motion passed.



13. **PZRZ15-00007:** Lots 5 and 6 and a portion of Lots 4 and 7, Block 43, Hart's Survey No. 9, City of El Paso, El Paso County, Texas  
Location: 311 Montana Avenue  
Zoning: A-2 (Apartment) and C-4 (Commercial)  
Request: From A-2 (Apartment) to C-1 (Commercial)  
Existing Use: Retail  
Proposed Use: Retail  
Property Owner: MIMA Properties L.L.C.  
Representative: Conde, Inc.  
District: 8  
Staff Contact: Michael McElroy, (915) 212-1612, [mcelroyms@elpasotexas.gov](mailto:mcelroyms@elpasotexas.gov)

**\*ACTION:** Motion made by Commissioner Erickson, seconded by Commissioner Brannon, and unanimously carried to **POSTPONE PZRZ15-00007 FOR TWO (2) WEEKS, TO THE CITY PLAN COMMISSION MEETING OF APRIL 23, 2015.**

Motion passed.

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**PUBLIC HEARING Special Permit Applications:**

14. **PZST14-00035:** Lots 16-17 and 23-28, Hill Terrace Addition, City of El Paso, El Paso County, Texas  
Location: 4500 & 4506 Mobile Avenue and 4507, 4513, 4519, 4525, 4531, & 4537 Nashville Avenue  
Zoning: R-4 (Residential)  
Existing Use: Vacant  
Request: Infill Development - to allow for lot dimension and setback reductions  
Proposed Use: Duplexes  
Property Owner: Anvia, L.L.C.  
Representative: Dorado Engineering, Inc.  
District: 2  
Staff Contact: Andrew Salloum, (915) 212-1613, [salloumam@elpasotexas.gov](mailto:salloumam@elpasotexas.gov)

**\*ACTION:** Motion made by Commissioner Erickson, seconded by Commissioner Brannon, and unanimously carried to **POSTPONE PZST14-00035 FOR TWO (2) WEEKS, TO THE CITY PLAN COMMISSION MEETING OF APRIL 23, 2015.**

Motion passed.

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15. **PZST15-00007:** Tract 8B, Block 11, Upper Valley Surveys, City of El Paso, El Paso County, Texas  
Location: 312 Borderland Road  
Zoning: R-2/c (Residential/condition)  
Existing Use: Vacant  
Request: Special Permit to allow for volleyball club outdoor with restaurant  
Proposed Use: Volleyball club outdoor with restaurant  
Property Owner: TK Real Estate LLC  
Representative: Wright & Dalbin Architects  
District: 1  
Staff Contact: Andrew Salloum, (915) 212-1613, [salloumam@elpasotexas.gov](mailto:salloumam@elpasotexas.gov)

**\*ACTION:** Motion made by Commissioner Erickson, seconded by Commissioner Brannon, and unanimously carried to **POSTPONE PZST15-00007 FOR TWO (2) WEEKS, TO THE CITY PLAN COMMISSION MEETING OF APRIL 23, 2015.**

Motion passed.

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**Other Business:**

16. Discussion and action on the City Plan Commission minutes for:  
March 26, 2015

**ACTION:** Motion made by Commissioner Brannon, seconded by Commissioner Erickson, and unanimously carried to **APPROVE THE CITY PLAN COMMISSION MINUTES FOR MARCH 26, 2015.**

Motion passed.

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17. Discussion and action on an Ordinance amending Title 19 (Subdivision and Development Plats), Chapter 19.20 (Parks and Open Space), Section 19.20.110 (Fee in Lieu of Parkland Dedication), and Section 19.20.120 (Parkland Fees Special Fund) of the El Paso City Code to permit a refund of fees in lieu of parkland dedication when the development in accordance with the plat is abandoned and the property is conveyed for municipal public open space.  
Staff Contact: Kimberly Forsyth, (915) 212-1563, [forsythkl@elpasotexas.gov](mailto:forsythkl@elpasotexas.gov)

Kimberly Forsyth, Lead Planner, gave a presentation and noted that this came about because a subdivision was platted a few years back and as part of the subdivision code, the developer is required to pay a park fee if it's under one hundred units. That plat was recorded and the developer paid the park fees but the development never occurred. The developer/property owner is in negotiations with the City for the City to acquire this property as open space, and the developer is in agreement but would like to get a refund on those park fees. Currently there is no ability to get a refund so this amendment would allow for that to take place. The developer would have to provide evidence that they had paid park fees at that time of recording. Ms. Forsyth read the new language into the record. Staff recommends approval of this ordinance amendment.

**ACTION:** Motion made by Commissioner Brannon, seconded by Commissioner Erickson, and unanimously carried to **APPROVE ORDINANCE AMENDING TITLE 19 (SUBDIVISION AND DEVELOPMENT PLATS), CHAPTER 19.20 (PARKS AND OPEN SPACE), SECTION 19.20.110 (FEE IN LIEU OF PARKLAND DEDICATION), AND SECTION 19.20.120 (PARKLAND FEES SPECIAL FUND) OF THE EL PASO CITY CODE TO PERMIT A REFUND OF FEES IN LIEU OF PARKLAND DEDICATION WHEN THE DEVELOPMENT IN ACCORDANCE WITH THE PLAT IS ABANDONED AND THE PROPERTY IS CONVEYED FOR MUNICIPAL PUBLIC OPEN SPACE.**

Motion passed.

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18. Discussion and action on an ordinance amending Title 20 (Zoning), Chapter 20.10 (Supplemental Use Regulations), to amend Section 20.10.695, Transfer of Development Rights, by amending the section to allow a second type of transfer of development rights for the transfer of a vested project from one parcel of land to another; providing for conditions applicable to such approval; amending Section 20.08.030 (Permissible Uses) Appendix "A" Table of Permissible Uses to allow the transfer of development rights in the

M-1 Zoning District. The penalty is as provided for in Chapter 20.24 of the El Paso City Code.

Staff Contact: Alex Hoffman, (915) 212-1613, [hoffmanap@elpasotexas.gov](mailto:hoffmanap@elpasotexas.gov)

Alex Hoffman, Lead Planner, gave a presentation and read the existing provisions. He noted that under the proposed amendment when projects are determined to be vested pursuant to Section 1.04.070, a property owner may be allowed to relocate that project to another appropriate parcel of land. He also described the requirements of "Sending Parcel". He spoke about the requirements of "Receiving Parcel." Staff recommends approval of this ordinance amendment.

**ACTION:** Motion made by Commissioner Loweree, seconded by Commissioner Brannon, and unanimously carried to **APPROVE AN ORDINANCE AMENDING TITLE 20 (ZONING), CHAPTER 20.10 (SUPPLEMENTAL USE REGULATIONS), TO AMEND SECTION 20.10.695, TRANSFER OF DEVELOPMENT RIGHTS, BY AMENDING THE SECTION TO ALLOW A SECOND TYPE OF TRANSFER OF DEVELOPMENT RIGHTS FOR THE TRANSFER OF A VESTED PROJECT FROM ONE PARCEL OF LAND TO ANOTHER; PROVIDING FOR CONDITIONS APPLICABLE TO SUCH APPROVAL; AMENDING SECTION 20.08.030 (PERMISSIBLE USES) APPENDIX "A" TABLE OF PERMISSIBLE USES TO ALLOW THE TRANSFER OF DEVELOPMENT RIGHTS IN THE M-1 ZONING DISTRICT. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.**

Motion passed.

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**ADJOURNMENT:**

**WITH NO OBJECTION, THE CITY PLAN COMMISSION MEETING WAS ADJOURNED AT 2:55 P.M.**

Approved as to form:



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Carlos Gallinar, Executive Secretary, City Plan Commission